



Austin City Council MINUTES

For SEPTEMBER 1, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

CITIZEN COMMUNICATIONS

James Williams discussed problems concerning the homeless. Roger Swanner did not appear. Mike Easley talked about refund of Capital Recovery Fee. Tommy Nowotny discussed disannexation. Marcos DeLeon discussed making East 1st and 2nd two-way streets. Maribel DeLeon discussed traffic on East 2nd Street. Doyle Wilson talked about disannexation of Brushy Creek. H.P. Gillespie talked about the budget. Stanley E. Ikonen discussed budget cuts concerning the Austin Fire Department. Chip Harris talked about the Resource Management Department program.

BOARD & COMMISSION REPORTS

The Affirmative Action Plan Task Force status report was presented by Audley Blackburn. Curtis Williams presented a proposed ordinance from the Endangered Species Task Force.

Arts Commission Report

Subcommittee report on Facilities Policy concerning the Arts Commission was presented by Councilmember Nofziger.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, accepted the recommendation of the subcommittee. (5-0 Vote, Councilmembers Humphrey and Urdu out of the room.)

Employee Suggestion Box Panel report was presented by Margret Hofmann. Terry Bray gave the Residency Report of the Downtown Commission.

ITEM POSTPONED

Postponed indefinitely is consideration of second/third readings of ordinances amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the 55 changes for Amcor Investments Corp., C14-87-179.

BOND SALE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance authorizing the issuance and sale of City of Austin, Texas, Public Improvements Bonds, Series 1988, in the amount of \$24,860,000.00 to J.P. Morgan Securities, Inc. with the rate of 7.67%; and the execution of a Paying Agent/Registrar Agreement with M Trust Corporation, National Association. (7-0 Vote)

AMENDMENTS

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending the Ethics Ordinance by adding a category of key position designated by the City Council to the definition of City Official; and amending the financial disclosure requirement of the Arts Commission. (6-0 Vote, Councilmember Humphrey out of the room.)

MEETINGS CANCELLED

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance cancelling all City Council Meetings for the week of September 19-23, 1988. (6-0 Vote, Councilmember Humphrey out of the room.)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Easements

Authorized release of the following easements:

- a. A Drainage and Wastewater Easement of record in Volume 10545, Page 850, Travis County Real Property Records, consisting of a 0.868 acre tract of land situated in the Thomas Anderson Survey No. 17, Patton Lane from U.S. 290 West to William Cannon Drive West. (Request submitted by Lichliter/Jameson and Associates, Inc. on behalf of Realtex Funding Corporation)

- b. **An Access Easement to a wastewater lift station site at Parmer Lane and Lake Creek of record in Volume 1547, Page 62 of the Williamson County Real Property Records. (Request submitted by Ken Manning on behalf of Austin White Line Company)**
- c. **A portion of the Public Utility and Drainage Easement on Lot 38, Twin Mesa Subdivision locally known as 4308 Hyridge. (Request submitted by Ms. Mary Lou Barrow on behalf of the property owner)**
- d. **The 5' Utility Easements along the lot lines of Lot 8, Block K, Eubank Acres Section 3-A as reserved in Volume 1410, Page 518 of the Travis County Real Property Records and release of the 5' Public Utility and Drainage Easement dedicated by plat note across the rear of Lot 8, Block K, Eubank Acres, Section 3-A, locally known at 11404 Oakwood Drive. (Request submitted by Murray Mortgage Company on behalf of the property owner)**

Capital Improvements Program

Authorized the filing of Eminent Domain Proceedings as follows:

- a. **0.3215 acre (14,005 square feet) of land in fee simple out of the James M. Mitchell Survey No. 17 in Travis County, Texas owned by Richard A. Haberman, Trustee for the Northwest Austin Co-Ownership, for the Spicewood Springs Road Phase II and III Project. C.I.P. No. 73/62-31**
- b. **0.2977 acre (12,967 square feet) of land in fee simple out of the James M. Mitchell Survey No. 17, Abstract No. 521, Travis County, Texas owned by Frost Bank North Austin, N.A. for Spicewood Springs Road Phase II. C.I.P. No. 73/62-31**
- c. **Water Transmissison Main Easements containing 18,919 square feet of land and Temporary Construction Easements containing 21,288 square feet of land out of Lot 2 and Lot 10, Block A, Parke Green Subdivision, a Subdivision in Austin, Travis County, Texas owned by Pleasant Valley, Ltd. for the Riverside Drive Water Transmission Main. C.I.P. No. 85/22-50**

Item Postponed

Postponed until September 8, 1988 is consideration of acquiring 7.755 acres of land for Southwest "B" Pressure Zone Reservoir located on Circle Drive near the intersection of 290 West. C.I.P. No. 85/22-09.

Contracts Approved

Approved the following contracts:

- | | |
|---|--|
| a. HAYDEN CONCRETE
9710 Brown Lane
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
TSM South First Street Corridor
Improvements, Phase II,
Transportation and Public Services
Department
Total \$591,752.06 C.I.P. Nos.
85/62-56, 83/60-13, 87/22-39 &
87/23-33 |
| b. TRIPLE V CONSTRUCTION COMPANY,
INC.
P. O. Box 790
Del Valle, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Chevy Chase South Subdivision,
Water and Wastewater Utility
Department
Total \$269,978.00 C.I.P. Nos.
85/22-09 & 85/23-09 |
| c. ROBERT HURST COMPANY, INC.
9741 Hwy. 290 East
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
South Congress Avenue Wastewater
Service, Water and Wastewater
Utility Department
Total \$150,069.00 C.I.P. No.
85/23-09 |
| d. J. C. EVANS CONSTRUCTION COMPANY,
INC.
8217 Shoal Creek Boulevard,
Suite 200
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Lakewood Park Subdivision, Water
and Wastewater Utility Department
Total \$207,135.00 C.I.P. No.
85/23-09 |
| e. USCI DIVISION
C.R. Bard, Inc.
P.O. Box 566
Billerica, Massachusetts | - Coronary Catheters, Guidewires
and Adapters, Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$137,564.00 B88-281 |

Contract Postponed

Postponed for consideration until September 8, 1988, is consideration of a contract with ELMORE AND COMPANY for May 1988 Wastewater In Place Pipe Destruction - Replacement Project, Water and Wastewater Utility Department, Total \$352,341.15 88-C084-JJ.

Contract Amendment

Approved contract amendment with Capital Area Perfusionist, Inc. increasing the total estimated cost of the contract to \$100,138.00 for the first year extension.

Public Hearing Set

Set a public hearing for September 29, 1988 at 7:00 p.m. on the proposed expansion of the City's rental rehabilitation program target area.

FARMER'S MARKET

Councilmember Humphrey introduced an item to Council to consider an ordinance to fund development fees and create a revolving loan program for the Farmer's Market. This was to be studied and will be on the September 8, 1988 agenda.

ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed the public hearings and passed through **FIRST READING ONLY**, as follows:

- | | | | | |
|-----|------------|--|--|---|
| (1) | -87
007 | PARKSTONE PUD
(DWYER/SANDERS
& COMPANIES)
By Bury & Pittman | Loop 360 and Camp
Craft Road
<u>APPROVED WITH NO</u>
<u>DISANNEXATION PRO-</u>
<u>VISION</u> | From "SF-2"
To "PUD"
<u>FIRST READING</u> |
|-----|------------|--|--|---|

RECOMMENDED subject to approved preliminary subdivision plan including all variances. Recommended to grant PUD zoning per TIA recommendations and additional requirements outlined below. Granted compatibility waiver and recommended to approve PUD site plan including Hill Country bonus and waivers, per staff recommendation, with the following additional requirements: Add note to plans that contractor shall contact DEP if any significant geologic features are discovered during construction. Applicant is to continue to work with the Save Barton Creek Association during the time before the City Council hearing. The homeowners agreements and covenants for the property shall include requirements for signage and measures to prevent littering of adjacent parkland. Applicant is to employ multiple outlets for drainage rather than single release outlets. The site plan should contain notes, as necessary, to clearly indicate the impervious cover limits for each separate tract. The project shall implement a herbicide and pesticide program which is modeled after, to the greatest extent possible, the program used for the Uplands.

(On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 5-0 Vote, Councilmembers Urdy and Barnstone out of the room.)

(2) -88 LOUIS HOWARD 12636 Research
0084 By Bruce Jackson Boulevard

From "LO"
To "GR-CO"
FIRST READING

RECOMMENDED "GR-CO" Community Commercial-Conditional Overlay, subject to the reservation of 150 feet of Right-of-way from the centerline of U.S. 183. The "CO" would limit "GR" uses to restaurant uses and to the range of "LO" uses that are permitted in "GR".

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, 6-0 Vote, Councilmember Urdy out of the room.)

REQUEST DENIED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, DENIED a request for a waiver from the provisions of the right-of-way dedication and reservation ordinance No. 860717-A, submitted by Charles Dunn/Holford Group for the property located at 5407 U.S. 290 West. (5-0 Vote, Councilmembers Urdy and Nofziger out of the room.)

ENERGY CONSERVATION AT BRACKENRIDGE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution authorizing submission of a \$300,000 grant from the Federal Department of Energy to assist with the installation of energy conservation improvements in Brackenridge Hospital. (5-0 Vote, Councilmember Humphrey and Mayor Cooke out of the room.)

ITEM POSTPONED

Postponed indefinitely is consideration of approval of two twelve month service contracts (RFP) with Accounts Receivable Management, Inc. and Merchants & Professional Credit Bureau, Inc., to collect on selected bad debt accounts receivable from Brackenridge Hospital. (\$315,465.00 Revenue Generating)

CARITAS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution approving a \$41,000.00 contract with CARITAS for employment services for the homeless. (5-0 Vote, Councilmembers Humphrey and Barnstone out of the room.)

CIRCLE C SOCCER COMPLEX

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution to approve a draft Community Facilities Use Agreement and Council resolution concerning Circle C Soccer Complex. (6-0 Vote, Councilmember Urdy out of the room.)

BROWN & ROOT SETTLEMENT FUNDS

The Council, on Councilmember Barnstone's motion, Councilmember Urdy's second, authorized allocation of certain funds received from Brown and Root in settlement of previous litigation for additional funding for the South Texas Project. (7-0 Vote)(Councilmember Humphrey placed an item to consider mothballing Unit II on the September 8, 1988 agenda.)

PUBLIC HEARING - CREATION OF WILLIAMSON-TRAVIS COUNTY MUD NO. 2

Mayor Cooke opened the public hearing concerning the creation of Williamson-Travis County MUD No. 2. People who spoke have cards on file in the City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, closed the public hearing and approved the Planning Commission recommendation. (6-0 Vote, Councilmember Urdy out of the room.)

PUBLIC HEARING - LEWIS MOUNTAIN RANCH TRACT

Mayor Cooke opened the public hearing on amending the Water and Wastewater Utility Service Area Ordinance No. 810820-B to include Lewis Mountain Ranch Tract. People who spoke have cards on file in the City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, closed the public hearing and waived the requirement for three readings and finally passed an ordinance amending the Water and Wastewater Utility Service Area Ordinance No. 810820-B to include Lewis Mountain Ranch Tract. (7-0 Vote)

VOTER REGISTRATION DRIVE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, approved waiving the banner fee for the Travis County voter registration drive. (6-0 Vote, Mayor Pro Tem Shipman out of the room.)

PARKS & RECREATION PROGRAMMING

Mayor Pro Tem Shipman introduced an item to Council, and they discussed, future programming for Parks and Recreation Department.

PLANNING COMMISSION APPOINTMENT

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, appointed Cal Varner as a member of the Planning Commission. (6-0 Vote, Councilmember Barnstone out of the room.)

ITEMS PULLED

Pulled from the agenda is a resolution concerning the mission and transportation direction of Capital Metro. On September 8, 1988 there will be an item on the agenda to create a special task force.

Postponed to September 8, 1988 is discussion of acquisition of the Sumiken Building and discussion of inquiries made on the Sumiken Building transaction.

ADJOURNMENT

Council did not go into executive session. The meeting adjourned at 6:25 P.M.